

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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ARON GOLDMUNZER,

Plaintiff,

-against-

P&B CAPITAL GROUP, LLC,

Defendant.  
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**ORDER**

15 CV 3863 (AMD) (CLP)

**POLLAK**, United States Magistrate Judge:

On July 1, 2015, plaintiff Aron Goldmunzer commenced this action, on behalf of himself and all others similarly situated, against defendant P&B Capital Group, LLC (“P&B”), alleging various violations of the Fair Debt Collection Practices Act (“FDCPA”), 15 U.S.C. § 1692 et seq. On February 10, 2016, plaintiff filed an affidavit of service indicating that the defendant had been served on October 28, 2015. (See Docket No. 8). That same day, plaintiff moved for entry of default against the defendant. This request was granted on February 19, 2016. In subsequent status reports filed with the Court, however, plaintiff has indicated that he has been engaged in informal settlement discussions with the defendant, repeatedly requesting extensions of time to file a motion for default judgment.

In a status report dated May 25, 2016, plaintiff indicated that he had served a subpoena upon the defendant to obtain certain information “necessary to move for class certification.” (Pl. 5/25 Ltr.<sup>1</sup> at 1). The subpoena was returnable on March 29, 2016. (Id.) The defendant has, to date, failed to respond. (Id.)

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<sup>1</sup>Citations to “Pl. 5/25 Ltr.” refer to the status report filed by the plaintiff on May 25, 2016.

In light of the foregoing, the defendant is hereby ORDERED to comply with the subpoena by June 20, 2016. If the defendant fails to produce all responsive documents by this date, the parties are ORDERED to appear on **July 1, 2016 at 9:00 a.m.**, in person, to show cause why the defendant should not be sanctioned for failing to comply with this Court's Order.

The Clerk is directed to send copies of this Order to the parties either electronically through the Electronic Case Filing (ECF) system or by mail.

**SO ORDERED.**

Dated: Brooklyn, New York  
June 7, 2016

/s/ Cheryl Pollak  
Cheryl L. Pollak  
United States Magistrate Judge  
Eastern District of New York